IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE FIFTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT APPEAL NO : 2145 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 18/11/2004 in WP NO : 21069 OF 2004 on the file of the High Court.)

Between:

Duvvuru Sreedhar Reddy, S/o. Janakiram Reddy,
R/o. Kattuvapalli Village, Manubolu Mandal, Nellore, Nellore District.

..... APPELLANT

AND

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional Officer, Gudur, Nellore District.
3 The Mandal Revenue Officer, Manubolu Village & Mandal, Nellore District.

.....RESPONDENTS

Counsel for the Appellant : MR.G.TUHIN KUMAR

Counsel for the Respondents: GP FOR ASSIGNMENT.

The Court made the following:

ORAL JUDGMENT:

(per Hon'ble The Chief Justice)

.....

1. Order of the Mandal Revenue Officer dated 7th September, 2004, was challenged by the appellant by filing W.P.No.21069 of 2004 on the ground that same had been passed in violation of the principles of natural justice, without conducting any enquiry and without notice to the appellant. Learned single Judge dismissed the writ petition on 18.11.2004 on the ground that there was alternative, statutory, efficacious remedy available to the appellant to prefer an appeal.

2. The grievance of the learned counsel for the appellant now is that the appellant is in possession of the land, similar writ petitioners were dismissed and while dismissing the writ petition and reserving liberty to prefer an appeal, order of status quo was directed to be maintained, which has not been done in the present case.

3. In view of what has been stated before us, we dispose of the present appeal and make it clear that in case within a period of one month from today appeal is filed before the concerned Appellate Authority, the same will be dealt with and decided in accordance with law without raising the question of limitation, and till appeal is heard and decided by the Appellate Authority, status quo as regards possession shall continue to be maintained by the parties. No costs.

DEVINDER GUPTA. C.J.,

B. SESHASAYANA REDDY. J.,

Dated: 15.02.2005.

VRK.

To

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional Officer, Gudur, Nellore District.
3 The Mandal Revenue Officer, Manubolu Village & Mandal, Nellore District.

4. Two CCs to G.P., for Assignment, High Court Buildings, Hyderabad (OUT).

5. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE B. SESHASAYANA REDDY.

W.A.NO. 2145 OF 2004.

(Judgment of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 15.02.2005.